

SECTION 3.50 STATUS OF INCUMBENTS

Last Update: 2/13

The status of a position incumbent when a position is reclassified varies depending upon the change and the conditions involved. Status refers to the incumbent's ability to remain in the position and under what conditions.

Position Change

If the position is covered by merit system provisions, the employee is not required to meet the minimum qualifications for the new class due to:

- the gradual evolution in job duty changes
- the correction of a classification error
- legislative action
- a class or series revision
- other external forces clearly outside the control of the appointing authority

If the reclassification is for any other reason, including voluntary or disciplinary demotion, the employee will be required to meet the minimum qualifications for the new class. This includes downward reclassifications resulting from classification appeal committee decisions.

In all instances of reclassification, the employee must meet any requirements for:

- registration
- licensure
- certification
- keyboard testing

Loss of Merit System Coverage

For transfer, reclassification, or reassignment that results in an employee's loss of merit system coverage, an employee's position may not be changed from merit system covered to non-merit covered without the written consent of the employee. A copy of the written consent must be submitted to DAS-HRE. If an employee does not consent to the change in coverage, a reduction in force may be initiated.

If a voluntary demotion involves movement from a position covered by merit system provisions to one that is not, the request must clearly indicate the employee's knowledge of the change in merit system coverage. If the employee objects to the change in coverage, the demotion shall not take effect.